

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: C.R. BARD, INC., PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION

MDL NO. 2187

IN RE: AMERICAN MEDICAL SYSTEMS, INC., PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION

MDL NO. 2325

IN RE: BOSTON SCIENTIFIC, PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION

MDL NO. 2326

IN RE: ETHICON, INC., PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION

MDL NO. 2327

IN RE: COLOPLAST PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION

MDL NO. 2387

IN RE: COOK MEDICAL, INC, PELVIC REPAIR
LIABILITY LITIGATION

MDL NO. 2440

IN RE NEOMEDIC PELVIC REPAIR SYSTEM
PRODUCT LIABILITY LITIGATION

MDL NO. 2511

THIS DOCUMENT RELATES TO ALL CASES


**KLINE & SPECTER, P.C.'S MOTION FOR LEAVE TO FILE
SURREPLY MEMORANDUM IN RESPONSE TO THE COMMON BENEFIT
FEE AND COST COMMITTEE'S REPLY IN SUPPORT OF ITS PETITION FOR
AN AWARD OF COMMON BENEFIT ATTORNEYS' FEES AND EXPENSES**

Pursuant to Local Rule Procedure for the Southern District of West Virginia 7.1(a)(7), Kline & Specter P.C. moves for leave to file a Surreply Memorandum in response to new arguments and factual claims made by the Common Benefit Fee and Cost Committee (FCC) in its Reply Memorandum in Support of Its Petition for an Award of Common Benefit Attorneys' Fees and Expenses. *See* Kline & Specter's Surreply Memorandum, attached as Exhibit "A." The FCC's Reply contains new arguments and claims that did not appear in the FCC's opening brief, and thus, Kline & Specter has not had an opportunity to respond. There is no unfair prejudice to the FCC by granting this Motion. Given the hundreds of millions of dollars in client and attorney money at stake, fuller opportunity to be heard is warranted.

Dated: December 7, 2018

Respectfully Submitted,

KLINE & SPECTER, PC

By: 
Shanin Specter, Esquire
Lee B. Balefsky, Esquire
1525 Locust Street
Philadelphia, PA 19102
(215) 772-1000
Counsel for Objectors

BOWLES RICE, LLP

By: /s/ Floyd E. Boone Jr.
Charles M. Love, III (WVSB 2254)
Floyd E. Boone Jr. (WVSB 8784)
600 Quarrier Street
Charleston, WV 25301
(304) 347-1100 (Tel.)
(304) 347-1746 (Fax)
fboone@bowlesrice.com
Counsel for Kline & Specter, P.C.